

in the investigation: whether he or anyone else sought to obtain through fraudulent means confidential FBI background reports for improper partisan political purposes or any other improper purpose. His testimony on that question was clear and consistent with all of the other evidence: Neither he nor anyone else had done so.

The evidence that no senior White House officials or Mrs. Clinton were involved in seeking FBI background reports resolved the central issue that required the appointment of an independent counsel. For that reason, the Independent Counsel declined prosecution and granted Mr. Marceca immunity to ensure full disclosure of all relevant information related to the investigation.

Mr. Marceca confirmed that portions of his testimony about both the process that he had used to request background reports and his review of the reports were false and that, at the time that he made those statements, he knew they were false. Under immunity, he also testified that there was no conspiracy involving senior White House officials or Mrs. Clinton to misuse the reports of former White House staff.

1. Mr. Marceca's Testimony in Congress Was Knowingly False When He Said That He Never Suspected That There Were Individuals on the List Who Were Not Current Passholders.

There were significant discrepancies between Mr. Marceca's description of how he handled the Update Project and other